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EUROPEAN CENTER FOR SECURITY STUDIES

Occasional Paper Series



The German EU Council Presidency (January – June 2007) and the Further Development of Transatlantic Relations

By Veneta Momtcheva



No. 14
December 2007
ISSN 1863-6039

Report Documentation Page			Form Approved OMB No. 0704-0188		
Public reporting burden for the collection of information is estimated to average 1 hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Washington Headquarters Services, Directorate for Information Operations and Reports, 1215 Jefferson Davis Highway, Suite 1204, Arlington VA 22202-4302. Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to a penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number.					
1. REPORT DATE DEC 2007		2. REPORT TYPE		3. DATES COVERED 00-00-2007 to 00-00-2007	
4. TITLE AND SUBTITLE The German EU Council Presidency (January-June 2007) and the Further Development of Transatlantic Relations			5a. CONTRACT NUMBER		
			5b. GRANT NUMBER		
			5c. PROGRAM ELEMENT NUMBER		
6. AUTHOR(S)			5d. PROJECT NUMBER		
			5e. TASK NUMBER		
			5f. WORK UNIT NUMBER		
7. PERFORMING ORGANIZATION NAME(S) AND ADDRESS(ES) George C. Marshall Center for Security Studies,ECMC-CL-O-MCP,Unit 24502,APO,AE,09053			8. PERFORMING ORGANIZATION REPORT NUMBER		
9. SPONSORING/MONITORING AGENCY NAME(S) AND ADDRESS(ES)			10. SPONSOR/MONITOR'S ACRONYM(S)		
			11. SPONSOR/MONITOR'S REPORT NUMBER(S)		
12. DISTRIBUTION/AVAILABILITY STATEMENT Approved for public release; distribution unlimited					
13. SUPPLEMENTARY NOTES					
14. ABSTRACT					
15. SUBJECT TERMS					
16. SECURITY CLASSIFICATION OF:			17. LIMITATION OF ABSTRACT Same as Report (SAR)	18. NUMBER OF PAGES 34	19a. NAME OF RESPONSIBLE PERSON
a. REPORT unclassified	b. ABSTRACT unclassified	c. THIS PAGE unclassified			

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The German EU Council Presidency
(January – June 2007)
and the
Further Development of Transatlantic Relations*

By Veneta Momtcheva**

Editorial Date: July 2007

* This article was written as part of the Program for Advanced Security Studies, which was led and funded by the George C. Marshall European Center for Security Studies in Garmisch-Partenkirchen.

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1. Introduction

The German EU Council Presidency attracted particular interest for many different reasons:

- The current international environment, which is characterized by the growing challenges of globalization.
- The threats posed by terrorism and regional conflicts.
- The Bush Administration's changing view of coalitions and multilateralism during its second term in office.
- The crises that the EU and the US are committed to resolving together (Kosovo, the conflict in the Middle East, Afghanistan, Iran).
- The growing need for an EU with 27 member states to function as a world actor by making substantial reforms aimed at an efficient CFSP.
- The desire of the German Federal Government under Chancellor Angela Merkel to play a stronger role as the driving force behind European integration, following the failed ratification process of the EU constitutional treaty.
- Germany's simultaneous presidencies of the EU and the G8.
- The more positive atmosphere of US-EU relations in comparison to 2004.
- Current domestic policy developments in key countries (French presidential election in 2007, US presidential election in 2008).

This research paper focuses on further developments in EU-US cooperation, an area in which substantial progress has been made.

The purpose of this research paper is to discuss the aims and outcomes of the German EU Council Presidency in the above field, analyze the challenges, and highlight certain trends.

The very contemporary nature of this topic necessitated the use of limited and primarily electronic sources of information, but also provided an inspiring opportunity to examine a topic that has not yet become the subject of numerous analyses by politicians, academics and the media.

I would like to thank Prof. Fritz Rademacher and Dr. Detlef Puhl for their dedicated work as mentors of this paper.

2. The Transatlantic Partnership - Shared Destiny or Common Interests?

Transatlantic relations are not only a cornerstone of security and stability in the Euro-Atlantic area, but also elements that underpin the international system. They perform a key function in the EU's external relations, despite periods of tension, differences of opinion, and even disputes. For the EU, the US is still the partner with whom it has the closest and most wide-ranging relations.

Shared values form the basis of these relations, and especially the “deeply shared conviction that peace, prosperity and human development depend upon the protection of individual liberty, human rights, the rule of law, economic freedom, energy security, environmental protection and the growth of strong, democratic societies”.¹

These shared values ensure the continued existence of the European-American partnership as it engages in a process of further development to face new challenges.

The main actors in the transatlantic partnership - the EU, NATO, the US and Canada – are facing common global challenges. In addition to international security and the fight against international terrorism and organized crime, these challenges also include the non-proliferation of weapons of mass destruction, the protection of human rights, and environmental problems. Other key issues are energy supply, eliminating poverty, promoting development, global health threats, and the potential for conflict in failing states.

The need to act together is also enshrined in the Security Strategies of the EU and the US:

“Acting together, the European Union and the United States can be a formidable force for good in the world. Our aim should be an effective and balanced partnership with the USA. This is an additional reason for the EU to build up further its capabilities and increase its coherence...An active and capable European Union would make an impact on a global scale. In doing so, it would contribute to an effective multilateral system leading to a fairer, safer, and more united world.”²

A comparison of this statement with the US position reveals a certain amount of compatibility:

“The times require an ambitious national security strategy, yet one recognizing the limits to what even a nation as powerful as the United States can achieve by itself ... America cannot know peace, security and prosperity by retreating from the world. America must lead by deed as well as by example.”³

¹ EU-US Summit – Washington, April 30, 2007: Joint Message, EU website, http://ec.europa.eu/external_relations/us/sum04_07/index.htm (accessed on July 12, 2007).

² European Security Strategy, “A Secure Europe in a Better World”, EU, Brussels, December 12, 2003, EU website <http://ue.eu.int/uedocs/cmsUpload/031208ESSIIDE.pdf> (accessed on July 12, 2007).

³ The National Security Strategy of the United States of America 2006: National Security Council, March 16, 2006, White House website <http://www.whitehouse.gov/nsc/nss/2006/nss2006.pdf> (accessed on July 12, 2007).

3. The German EU Council Presidency – A New Quality in Transatlantic Relations

Aims, Tasks, Expectations

As anticipated, the German EU Council Presidency had very ambitious aims, which reflected the foreign policy priorities of the Merkel government.⁴ The Federal Minister for Foreign Affairs, Frank-Walter Steinmeier, emphasized in December 2006 that:

“On the whole, the German Presidency wishes to live up to the EU’s major – and ever increasing – role in foreign affairs ... I strongly believe that we have both an opportunity and a duty to win back some of the trust which has been lost. We hold three keys to achieving this:

- We must succeed in bringing forward the issue of the constitution – currently a symbol of Europe’s self-imposed inertia.
- We, the European people, must speak with one voice with regard to the numerous conflicts in the world, and take unanimous action.
- Europe must formulate policies for the future. We must come up with answers now to the question of where we want to be in 2020. This applies particularly to the security of our energy supply and environmental protection – two issues which are inextricably linked.”⁵

The German EU Council Presidency sought to make a significant contribution to the current architecture of transatlantic relations by recognizing, in a reflection of the times, that:

“The transatlantic partnership is not restricted to bilateral issues, but has a strong global dimension. There is scarcely a crisis – from Afghanistan to Iran to Kosovo – in which the transatlantic partners do not come together to try to find possible solutions.”⁶

“Further strengthening joint transatlantic action and developing our relations with the US – these are central elements of our Presidency, both in policy-making and business, and in energy security and climate protection.”⁷

The work programme of the German EU Council Presidency establishes that selected issues, such as the Middle East, Eastern Europe, counter-terrorism and energy security, will be central to intensifying the dialogue and cooperation with the US:

“Germany will aim to reach an agreement on cooperation between the EU and the US in

⁴ Coalition Agreement of the Federal Government, 22.11.2005, Government Online website, <http://www.bundesregierung.de/Webs/Breg/DE/Bundesregierung/Koalitionsvertrag/koalitionsvertrag.html> (accessed on July 12, 2007).

⁵ Steinmeier, German Federal Minister for Foreign Affairs: Press conference launching the German EU Council Presidency, 19.12.2006, Federal Ministry of Foreign Affairs website <http://www.auswaertiges-amt.de/diplo/de/Infoservice/Presse/Reden/2006/061219-Bruessel.html> (accessed on July 12, 2007).

⁶ EU Presidency: Statement on Transatlantic Relations to the Plenary of the EP, EP, 25.04.2007, German EU Council Presidency website http://www.eu2007.de/de/News/Speeches_Interviews/April/0425AAGloserUSA.html (accessed on July 12, 2007).

⁷ EU Presidency: Statement on Transatlantic Relations to the Plenary of the EP, EP, 25.04.2007, German EU Council Presidency website http://www.eu2007.de/de/News/Speeches_Interviews/April/0425AAGloserUSA.html (accessed on July 12, 2007).

the area of civilian crisis management. The implementation of the Transatlantic Economic Initiative will focus on regulatory cooperation, innovation and technology, trade and security, capital markets, energy and the protection of intellectual property.”⁸

Federal Chancellor Angela Merkel’s aim of having the German EU Council Presidency make a substantial contribution to the further development of transatlantic relations, and her personal commitment to this aim, were clearly expressed in documents, political speeches, and media appearances:

“I believe that a close partnership with the United States of America, and I am saying this also in relation to Canada, is and will also remain inextricably linked for us to the success of the European Union. German reunification would certainly have been much more difficult without the United States of America, without the father of the current President, the former President George Bush. The world has changed since then, with German unity, with the end of the Cold War.”⁹

This ambitious, optimistic attitude met with a corresponding response in the US, and contributed to the positive atmosphere necessary for productive cooperation. Other factors influencing this atmosphere also include the celebration of the 50th anniversary of the Treaties of Rome, which took stock of the EU’s successes.

At the beginning of 2007, at the press conference held during Federal Chancellor A. Merkel’s visit to the US on January 4, President George W. Bush emphasized that:

“This new year marks the beginning of Germany’s presidency of both the EU and the G8 We talked about the Chancellor’s ambitious agenda for both of those leadership roles. We discussed how we can continue to work together to promote prosperity and security and peace.”¹⁰

Following her discussions with the Federal Chancellor in Berlin on January 18, 2007, the US Secretary of State, Condoleezza Rice, also emphasized that transatlantic cooperation would be of major importance in the context of the German EU Presidency:

“There are a whole range of difficult and also very important issues, in relation to which it will be important for the American side, whose cooperation with Germany is based on common and shared values, to cooperate closely with Germany. I think that this will also contribute to making Germany’s Presidency within the European Union a success.”¹¹

⁸ EU Presidency Program “Europe will succeed if we work together”, 29.11.2006, German Federal Government website http://www.bundesregierung.de/nsc_true/Content/DE/Artikel/2006/11/anlagen/2006-11-29-eu-praesident-schaftsprogramm.templateId=raw.property=publicationFile.pdf/2006-11-29-eu (accessed on July 12, 2007).

⁹ Merkel, Angela: Speech to the Conference of the CDU/CSU Parliamentary Group in the German Bundestag, March 19, 2007, Berlin, CDU-CSU Bundestag Parliamentary Group website www.cducsu.de/section_2/subsection_3/id_319/mode_6/Meldungen.aspx (accessed on July 12, 2007).

¹⁰ Bush, George W.: Press conference during Chancellor Merkel’s visit to the US, January 4, 2007, White House website <http://www.whitehouse.gov/news/releases/2007/01/20070104-2.html> (accessed on July 12, 2007).

¹¹ Rice, Condoleezza, US Secretary of State, press statement, Berlin, 18.01.2007, German Federal Government website http://www.bundesregierung.de/nn_1516/Content/DE/Mitschrift/Pressekonferenzen/2007/01/2007-01-18-pk-merkel-rice.html (accessed on July 12, 2007).

Kurt Volker, Principal Deputy Assistant Secretary for European and Eurasian Affairs at the US Department of State, praised Germany in his speech to the German Marshall Fund in Berlin on February 12, 2007:

“Germany is providing exceptional leadership to the European Union and the G8, bringing its considerable political, economic, security, and diplomatic resources to bear on some of the most pressing challenges of our time.”¹²

The potential of the first EU Council Presidency of 2007 was also enhanced by the active and dynamic mechanism of the trio presidency. For the first time in the history of the EU, the Council of the European Union adopted a common program for the trio presidency of Germany, Portugal, and Slovenia in September 2006.¹³ The program states with regard to transatlantic relations that:

“The three Presidencies will aim to intensify the transatlantic dialogue and cooperation across a wide spectrum of areas, with a particular focus on non-proliferation, conflict prevention, crisis management, and post-conflict peace-building, with the aim of examining further ways of working together.

The aim will be to agree a substantive declaration on cooperation in crisis management and then to focus on its implementation. There will also be consultations and cooperation on a range of current and potential conflicts. Promotion of democracy and the rule of law will be important elements of this dialogue

The three Presidencies will strengthen the transatlantic economic partnership through the implementation of the work programme under the transatlantic economic initiative.”¹⁴

¹² Volker, Kurt, Principal Deputy Assistant Secretary for European and Eurasian Affairs at the US Department of State: Speech to the Berlin Forum on 12. 02.2007, US Embassy Berlin website, http://german.germany.usembassy.gov/germany-ger/volker_klima.html (accessed on July 12, 2007).

¹³ EU Council Presidency: Programme of the Trio Presidency 2007-2008, German EU Council Presidency website http://www.eu2007.de/de/The_Council_Presidency/trio/index.html (accessed on July 12, 2007).

¹⁴ EU Council Presidency: Programme of the Trio Presidency 2007-2008, German EU Council Presidency website http://www.eu2007.de/de/The_Council_Presidency/trio/index.html (accessed on July 12, 2007).

4. Two Fundamental Pillars of the Transatlantic Partnership: EU-US and EU-NATO Relations

When analyzing and predicting the prospects for the successful implementation of this plan, it is important to emphasize that the transatlantic partnership rests on two pillars, namely EU-NATO and EU-US relations.

Although they are of equal and growing importance, both sets of relations have a different dynamic, density of content and main interests.

Twenty-one states are members of both the EU and NATO, and thus have an interest in achieving a complementary and synergistic effect. According to this logic, improvements to military capabilities in the EU and NATO should thus also be “mutually enhancing”.¹⁵

The permanent agreements entered into between the EU and NATO, and especially the Berlin Plus agreement, improve the EU’s operational capabilities and create the framework for a strategic partnership between the two organizations in the area of crisis management.

A joint approach by the EU and NATO is a fundamental element of the foreign policy concept of the German Federal Government¹⁶ and of Chancellor A. Merkel:

“The significance of the partnership between the European Union and NATO is growing. The European Security Strategy, NATO’s Strategic Concept,¹⁷ and the National Security Strategy of the United States of America provide a suitable foundation on which to conduct more intensive dialogue on the form our common security agenda should take... NATO and the EU are the most successful value-based and security alliances in recent history. They could therefore also become an anchor of stability in the world, if indeed they are not already.”¹⁸

This position was also reinforced by the European Parliament:

“NATO, which remains an important tie between many European countries and the US and a guarantor of European security, should develop its potential as a transatlantic forum for political debate in a true partnership of equals.”¹⁹

The development of the European Security and Defence Policy is one of the most important topics in the international security debate. Taking this approach, a conference on this subject was organized in Berlin on the initiative of German Federal Minister for Foreign Affairs Steinmeier at the very beginning of the German EU Council Presidency. In his keynote speech, NATO Secretary General Jaap de Hoop Scheffer emphasized that:

¹⁵ Hofmann, Stephanie/Reynolds, Christopher: “Die EU-Nato-Beziehungen – Zeit für ‘Tauwetter’ ” [EU-NATO Relations – Time for a Thaw] in: SWP-Aktuell Journal 37, July 2007.

¹⁶ Dr. Puhl, Detlef: The German Defense White Paper, American Institute For Contemporary German Studies, January 5, 2007, <http://www.aicgs.org/analysis/c/puhl010507.aspx> (accessed on July 12, 2007).

¹⁷ NATO Strategic Concept: Meeting of the North Atlantic Council in Washington DC, April 23-24, 1999, NATO website <http://www.nato.int/docu/pr/1999/p99-065e.htm> (accessed on July 12, 2007).

¹⁸ Merkel, Angela: Speech at the 42nd Munich Conference on Security Policy, 04.02.2006, <http://www.security-conference.de/konferenzen/rede.php?id=170&sprache=de&> (accessed on July 12, 2007).

¹⁹ European Parliament: Resolution on transatlantic relations of April 25, 2007, EP website <http://www.europarl.europa.eu/sides/getDoc.do?type=MOTION&reference=B6-2007-0149&language=DE> (accessed on July 12, 2007).

“There is no stronger civil player than the European Union. And there is no stronger military alliance than NATO. There is therefore in my view only one conclusion – we must finally get serious with the strategic partnership! I know that that is the aim of the German Presidency of the Council.”²⁰

The German EU Council Presidency placed a special emphasis on the following areas:

- Crisis management missions and operations
- Further development of the EU’s operational capabilities in the area of crisis management
- Deepening strategic partnerships
(Germany is advocating efficient and complementary cooperation between EU and NATO. The aim is to strengthen the strategic partnership between the two organizations by intensifying the political dialogue and cooperation in the areas of deployment and the development of capabilities. The US is an important partner of the EU in the area of crisis management. The cooperation between the two partners in the area of civilian crisis management is to be intensified and extended).
- Further conceptual development of the ESDP.^{21,22}

NATO and the EU demonstrated in the Western Balkans that they are able to cooperate successfully in the interests of security and stability.

The EU Battle Groups achieved full combat readiness at the beginning of the German Council Presidency. Progress was made in developing the EU’s rapid military crisis management capabilities. Worthy of note is the initiative of the German Council Presidency to work with the subsequent Portuguese and Slovenian presidencies to review the EU Military Rapid Response Concept.

Reform is needed in both the EU and the US, and their joint effectiveness will depend to a significant extent on the efficiency and coherence of these reforms.

The implementation of an effective CFSP is a central task for the EU, and is closely linked with the revival of the EU reform process.

Rapid developments are almost impossible within this complicated process. Sustained efforts, on which the German EU Council Presidency also placed an emphasis, are a more effective way of attaining positive developments in this link in the transatlantic partnership.

During the German EU Council Presidency, it also became clear that EU-NATO relations are developing in a positive manner at the operational level. However, the dialogue at the political level needs to completely abandon a competitive mindset, achieve higher quality, become more intensive and substantive, and include other important strategic issues, such as proliferation.

²⁰ Scheffer, Jaap de Hoop, NATO Secretary General: Keynote speech entitled “NATO and the EU: Time for a New Chapter”, Conference in Berlin, 29.01 2007, EU website www.europarl.europa.eu/meetdocs/2004_2009/documents/dv/280/280220/28022007speechsecrgl_berlin29012007_de.pdf (accessed on July 12, 2007).

²¹ Current ESDP Operations: Press release, German Ministry of Foreign Affairs website <http://www.auswaertiges.amt.de/diplo/en/Europa/Aussenpolitik/ESVP/LaufendeESVPOperationen.html> (accessed on July 12, 2007).

²² Jung, Franz Josef, German Federal Minister of Defence: Speech at the George C. Marshall Center in Garmisch, July 18, 2007.

5. EU-US Relations

Efforts to further develop transatlantic relations are underpinned by the following formal bases:

- The Transatlantic Declaration of 1990.²³ This declaration launched a regular political dialogue at different levels, including regular summits at the highest political level.
- The New Transatlantic Agenda (NTA)²⁴ of 1995, which took the cooperation to a new level by structuring relations into 4 major goals, which harmonized with the 3 pillars of the EU – promoting peace, stability, democracy and development; responding to global challenges; contributing to the expansion of world trade and closer economic relations; building bridges across the Atlantic.

The direct dialogue between the EU and US plays its own important role in strengthening transatlantic relations. This conviction is shared on both sides of the Atlantic, but receives a stronger emphasis in Europe than in the US.

“A strong and functioning partnership between the EU and the US is a vital tool for shaping global development in the interests of common values and on the basis of effective multilateralism and international law.”²⁵

“The strategic partnership between the EU and the US is the vital tool for shaping globalization in the interests of Western values.”²⁶

The US is also showing an increasing understanding of the significance of relations with the EU. Three days prior to the EU-US summit, the US administration in Washington posted information on its official website²⁷ under the heading “US-EU Summit Shows Transatlantic Partnership Going Global”, which quoted the Deputy Secretary of State, John Negroponte, emphasizing the following at a press conference:

“The EU has been a force for positive change not only in Europe, but around the world.... The European Union has succeeded in promoting its core democratic values so that other nations and regions might follow its inspiring example.”

At this press conference, Rod Hunter, US National Security Council Senior Director for International Trade, Energy and the Environment, stated that on the economic front, discussions will focus on global trade, deepening transatlantic trade ties and addressing the problem of global climate change.

The opening statement by President George W. Bush at the press conference in Washington

²³ Transatlantic Declaration, December 1990, website of the US Mission to the EU, http://useu.usmission.gov/Dossiers/TransAtlantic/Dec1990_Transatlantic_Declaration.asp (accessed on July 12, 2007).

²⁴ NEW Transatlantic Agenda – NTA: adopted on December 3, 1995 at the EU-US Summit in Madrid, EU website http://ec.europa.eu/external_relations/us/new_transatlantic_agenda/index.htm (accessed on July 12, 2007).

²⁵ European Parliament, Resolution on transatlantic relations of April 25, 2007, EP website <http://www.europarl.europa.eu/sides/getDoc.do?type=MOTION&reference=B6-2007-0149&language=DE> (accessed on July 12, 2007).

²⁶ Steinmeier, Frank- Walter, Federal Minister for Foreign Affairs: Speech at the 43rd Munich Conference on Security Policy 2007, Federal Ministry of Foreign Affairs website www.auswaertiges-mt.de/diplo/de/Infoservice/Presse/Reden/2007/070211-Muenchen-BM.htmla (accessed on July 12, 2007).

²⁷ Press conference, Washington DC, 27.04.2007, US Department of State website <http://www.state.gov/p/eur/rls/rm/83964.htm> (accessed on July 12, 2007).

during the EU-US summit on April 30, 2007 was especially significant:

“The EU-US relations are very important to our country, not only is it important for us to strategize how to promote prosperity and peace, but it’s important for us to achieve concrete results.”²⁸

The importance of EU-US relations is underpinned by strong economic factors. The transatlantic economy is at the forefront of globalization. The United States and the European Union are each another’s most important economic partners, accounting for 40 % of world trade and 60 % of global added value.²⁹

A worldwide survey conducted by the Bertelsmann Foundation in March 2007 shows that a large majority of Americans and Europeans support closer transatlantic cooperation. The results can be interpreted as a mandate from the citizens of Europe and the US for closer transatlantic cooperation.

“Both sides view themselves as active partners. A large majority in Germany - 73 % - wants both sides to cooperate to prevent countries such as Iran from developing nuclear weapons. 74 % of Americans and 84 % of Germans support transatlantic cooperation to promote democracy around the world. A majority of the American population has a very positive image of German-American relations, with 39 % describing them as excellent or very good.

Thus, the analysis of the Bertelsmann Foundation shows results again being achieved that are similar to those prior to the war in Iraq. On the European continent however, differences emerge regarding the willingness to cooperate with the US. This wish is clearly expressed by the Finns and Spaniards, for example, in addition to the Germans. Other Western European allies of the US are more reticent – including Austria, Italy, and especially France.

Conversely, Americans reveal a great willingness in their responses for dialogue with Europe. Around 80 % of respondents advocated more coordination on climate protection, in checks on potential nuclear states such as Iran, and in securing the energy supply.”³⁰

This trend was also confirmed by a representative survey of 1023 US citizens conducted by Frank N. Magid Associates in February 2007 and published by the German Embassy in Washington. It shows that “the positive perception of US-German relations is back at the same level as prior to the war in Iraq. Americans also consider this to be due to Federal Chancellor Angela Merkel.”³¹

The German EU Council Presidency in 2007 compiled an agenda of EU-US contacts and topic

²⁸ European Union-United States Summit, April 30, 2007: Press release, Federal Chancellery, website of the Federal Chancellor http://www.bundestkanzlerin.de/nn_4922/Content/DE/Kanzlerkalender/2007/04/2007-04-30-eu-usa-gipfel.html (accessed on July 12, 2007).

²⁹ “Two economic areas come together”: Press release, website of the Federal Chancellor <http://www.bundestkanzlerin.de/Content/DE/Artikel/2007/04/2007-04-23-merkel-barroso.html> (accessed on July 12, 2007).

³⁰ Conducted by TNS EMNID on behalf of the Bertelsmann Foundation, the survey polled 12,000 people in the US and 11 European countries, press release of the Bertelsmann Foundation Brussels/Gütersloh, April 25, 2007, surveys: Bertelsmann Foundation website, <http://www.bertelsmann-stiftung.de/> (accessed on July 12, 2007).

³¹ Press release: German Embassy in Washington, website of the German Embassy in Washington, www.germany.info/relaunch/info/missions/embassy/embassy.html (accessed on July 12, 2007).

areas which was characterized by its considerable breadth.

This was reflected particularly clearly during the EU-US summit on April 30, 2007 in Washington. The agenda items on climate protection and visa waivers were a result of the persistent action and skill of the German EU Council Presidency.

The outcomes of the summit are summarized in the following documents:³²

- Joint Statement,
- Transatlantic Economic Integration Framework,
- Declaration on Political and Security issues,
- Joint Statement on Energy Security and Climate Change,
- Progress Report on Political issues,
- Economic Progress Report,
- Joint Report on the Roadmap for US-EURO Regulatory Cooperation,
- EU/US Aviation Agreement.

5.1 Transatlantic Economic Relations - A Locomotive with New Drive³³

Tangible, concrete and promising results were achieved at the EU-US summit in Washington in the economic sector in particular.

Economic statistics indicate a very strong initial situation.³⁴

“The transatlantic market constitutes the largest bilateral trade and investment relationship in the world, and provides employment to 14 million people in the EU and the United States. Trade flows between the EU and the United States amount to almost 1.7 billion euros per day. This economic tie is thus the world’s most significant bilateral trade relationship. The level of reciprocal investment amounts to around 1.5 trillion euros. Around two thirds of direct investments by American and European enterprises are made within the EU and the United States.” (EUROSTAT 2007)³⁵

(The EU is the world’s largest trading power, accounting for one quarter of global wealth. The euro is the second largest trade and reserve currency on international markets, after the US dollar.)³⁶

³² The EU-US summits take place in the troika format (EU Council Presidency, European Commission President, US President) once a year, alternating between Europe and the US. Documents on the EU-US summit, April 30, 2007, Washington, website of the Federal Chancellor <http://www.bundestkanzlerin.de/Content/DE/Artikel/2007/04/2007-04-30-dokumente-eu-usa.html> (accessed on July 12, 2007).

³³ Bauer, Thomas: “Von der Wirtschaftspartnerschaft zur transatlantischen Strategiegemeinschaft” [From an Economic Partnership to a Transatlantic Strategic Community], Centrum für angewandte Politikforschung CAP [Center for Applied Policy Research], Aktuell Journal 7/2007, <http://www.cap-lmu.de/publikationen/2007/cap-aktuell-2007-07.php> (accessed on July 12, 2007).

³⁴ “Two economic areas come together”: Press release, website of the Federal Chancellor <http://www.bundestkanzlerin.de/Content/DE/Artikel/2007/04/2007-04-23-merkel-barroso.html> (accessed on July 12, 2007).

³⁵ Press release: EUROSTAT on 27/04/2007, EU website, <http://europa.eu/rapid/pressReleasesAction.do?reference=STAT/07/57&format=HTML&aged=0&language=DE&guiLanguage=en> (accessed on July 12, 2007).

³⁶ The EU is a world economic power and a powerful actor in international economic negotiations. It is the world’s biggest economic bloc, with the largest gross national product and a common currency (the euro). The EU with

Europeans and Americans both aim to extend these already close trade relations. The German EU Council Presidency made optimal use of these conditions to achieve substantial progress through specific initiatives. A particular emphasis was placed in this context on cooperation in the area of regulation, innovation and technology, trade and security, energy, capital markets and intellectual property rights.

These aims reflect the ideas of all of the EU institutions.

The Commission gave its full support to Chancellor Merkel's initiative to create an ambitious new Transatlantic Economic Partnership.³⁷

"The European Parliament strongly supports the initiative by the German Presidency of the European Council to launch a new Transatlantic Economic Partnership, with a road map for achieving a barrier-free transatlantic market, to strengthen the position of both partners in global competition and enable them to better use the potential of their economies, without undermining multilateral trade negotiations, including the Doha Round".³⁸

It should be emphasized that both sides expressed a wish that a prompt agreement be reached in the WTO negotiations (Doha Round) in the joint message from the EU-US summit in Washington on April 30, 2007.

5.1.1 Framework for Advancing Economic Integration between the EU and the US³⁹

The key achievement of the German EU Council Presidency was the Framework for Advancing Transatlantic Economic Integration Between the European Union and the United States of America, which was signed by the President of the European Council, Angela Merkel, US President George Bush and José Manuel Barroso, President of the European Commission, at the EU-US summit in Washington on April 30, 2007.

The central message is based on the conviction that deeper transatlantic economic integration and stronger transatlantic economic growth will improve the competitiveness of the national economies and bring global benefits.

25 member states accounted for a quarter of global gross national product in 2005. The European Union is the strongest power in world trade. In 2004, it was the second biggest importer, accounting for 18 % of all global imports. The US was the biggest importer, accounting for a share of 20.7 %. The EU has a 40 % share of global trade, if the exports and imports of all EU countries are added together. The US has a 16.3 % share of global trade (China accounts for 5.6 % and Japan for 4.9 %). The EU is the world's largest exporter, with a total share of 42 %. It is followed by the US with 9.1 %. China accounts for 6.9 % and Japan for 6.0 %. Europe is the leader in total world trade with 40.9 %. As the world's biggest trading power, it accounts for a quarter of global wealth. The euro is the second largest trade and reserve currency on international markets, after the US dollar. The European Union is the biggest donor of economic and development aid. Taken together, the EU and its member states provided over 57 % of total public development aid worldwide in 2003.

Press release: "Two economic areas come together", German EU Council Presidency website <http://www.bundeskanzlerin.de/Content/DE/Artikel/2007/04/2007-04-23-merkel-barroso.html> (accessed on July 12, 2007).

³⁷ Ferrero-Waldner, Benita: Annual Policy Strategy, European Parliament, Committee on Foreign Affairs, Brussels, April 11, 2007, EU website <http://europa.eu/rapid/pressReleasesAction.do?reference=SPEECH/07/219&format=HTML&aged=0&language=DE&guiLanguage=en> (accessed on July 12, 2007).

³⁸ European Parliament: Resolution on transatlantic relations of April 25, 2007, EP website <http://www.europarl.europa.eu/sides/getDoc.do?type=MOTION&reference=B6-2007-0149&language=DE> (accessed on July 12, 2007).

³⁹ Documents on the EU-US summit, April 30, 2007, Washington, website of the Federal Chancellor <http://www.bundeskanzlerin.de/Content/DE/Artikel/2007/04/2007-04-30-dokumente-eu-usa.html> (accessed on July 12, 2007).

It outlines a transatlantic economic model, which includes respect for property rights, openness to investment, transparency and predictability in regulation, and the value of free markets.

The Framework has the following aims:

- To strengthen transatlantic economic integration, with the goal of improving competitiveness and the living standards of citizens.
- To foster cooperation and reduce regulatory burdens, with the aim of removing barriers to transatlantic commerce; rationalizing, reforming and, where appropriate, reducing regulations, thereby reducing costs associated with regulation to consumers and producers; and reinforcing the existing transatlantic dialogue structures in the area of regulatory cooperation.

5.1.1.1 Fostering Cooperation and Reducing Regulatory Burdens

Steps are being taken to remove barriers to transatlantic economic integration arising from new regulations. The US wishes to focus initially on pharmaceuticals and cosmetics. An additional aim in the latter area is to reduce animal testing. Crash and fuel economy tests in the automotive sector are to be reciprocally recognized. The standardization of testing procedures for electrical equipment was also on the agenda.

Agreement was reached on cooperating to improve regulation.

The heads of regulatory authorities were appointed as permanent members of the EU-US High Level Regulatory Cooperation Forum.

5.1.1.2 Lighthouse Priority Projects

At the EU-US summit held in April 2007 in Washington, lighthouse priority projects were identified in the areas of intellectual property rights, investment, secure trade, financial markets and innovation.

Intellectual Property Rights:

- Cooperation to improve the efficiency of the patent system at the global level, along with progress in harmonizing the different patent regimes.
- Implementation of the EU-US Action Strategy for the Enforcement of Intellectual Property Rights, also by enhancing joint efforts, especially in such areas as:
 - Strengthening customs cooperation.
 - Enforcing the protection of intellectual property, especially in China and Russia, enhancing cooperation in Asia, Latin America and the Middle East.
 - Improving coordination and cooperation between the state and the private sector in the areas of information, public relations and business practices to fight counterfeiting and product piracy.

Investment:

- Close cooperation within the OECD in relation to the evaluation and promotion of political reforms which encourage investment.
- Regular exchange of views on legislation, policies and procedures.

- Avoidance, elimination or reduction of the effects of barriers to investment, with a special focus on small and medium-sized enterprises.

Secure Trade:

- Cooperation in combating fraud, illegal spam and spyware.
- Launch of a pilot project to analyze the similarities and differences in the requirements of the respective US and EU trade partnership programs, with the aim of compiling a roadmap to facilitate the mutual recognition of actors.

Financial Markets:

In light of the substantial differences in financial market structures and regulatory approaches in the EU and US:

- Steps to align, create equivalence between, or establish the mutual recognition of regulatory standards.
- Enhanced cooperation between the financial supervisory authorities in the EU and US.

Innovation and Technology:

- Exchange of experts in the area of innovation to discuss best practices.
- Exchange of views on political options for newly developed technologies, especially in the fields of nanotechnology, cloning, and biotechnology.
- Enhanced cooperation on the interoperability of electronic health record systems.
- Exchange of experience on information and communications technology to improve road safety.

The Organization for Economic Cooperation and Development (OECD) is working on the assumption that a deeper economic integration of the EU and US will lead to a significant reduction in barriers in the area of market access, foreign direct investment and trade between the EU and US, and thus to an increase in per capita GDP in the EU and the US of 2 to 3.5 % and 1 to 3 % respectively.⁴⁰

5.1.1.3 Transatlantic Economic Council

The establishment of the Transatlantic Economic Council created a qualitatively new mechanism with political responsibility, designed to promote the economic partnership.

The Transatlantic Economic Council is co-chaired on the US side by a US Cabinet-level official in the Executive Office of the President (currently Allan Hubbard), and on the EU side by a member of the European Commission (currently Vice President Günter Verheugen), collaborating closely with the EU Presidency. It has the following tasks:

- Guide work between EU-US summits with a focus on achieving results
- Adopt a work program

⁴⁰ OECD: Statistics Directorate, Statistics Newsletter http://www.oecd.org/document/28/0,3343,en_2649_34257_2_094812_1_1_1_1,00.html (accessed on July 12, 2007).

- Review at least semi-annually its progress in achieving the objectives of the Framework
- Meet at least once a year at such time as the co-chairs decide
- Prepare annual reports for the heads of state and government of the US and EU
- Facilitate closer cooperation between the United States and the European Union and our legislators and stakeholders
- Convene a group comprised of individuals experienced in transatlantic issues, to provide input and guidance to the EU-US summit on priorities for pursuing transatlantic economic integration.

The Transatlantic Economic Council met for the first time at the end of June 2007. The central issue was the mutual recognition of accounting principles.

5.1.2. First Stage Air Transport Agreement

The signature of the Air Transport Agreement is another of the undisputed successes of the EU-US summit in Washington on April 30, 2007.

The document, which was signed by the German Federal Transport Minister Wolfgang Tiefensee in his capacity as EU Council President, German Federal Foreign Minister Frank-Walter Steinmeier, Vice President of the European Commission and Transport Commissioner Jacques Barrot, US Secretary of Transportation Mary Peters and US Secretary of State Condoleezza Rice, is the first comprehensive air transport agreement entered into between the EU and the US in 40 years.

The Open Skies agreement places air transport between Europe and the US on a new basis. The agreement, which will bring the world's two leading air transport markets closer together, has the following focuses:

- European airlines will be able to fly to the US from every EU member state in future. In turn, US airlines will be able to choose their European destinations more freely.
- New possibilities for marketing air services using franchising and branding are explicitly clarified.
- The agreement also embodies a joint understanding on the exemption of the alliances from anti-trust rules.
- European airlines will now be permitted to participate in the "Fly America" program for the first time. This means that they may carry US government officials, who are currently supposed to fly with US carriers, and also operate certain cargo flights.

Both sides have committed themselves to cooperating to complete this process, as Federal Transport Minister Wolfgang Tiefensee stated in Washington following the signature of the document:

"Immediately after it has entered into force on March 30, 2008, we will launch a new round of negotiations. The door to a genuine Open Aviation Area will then be open.

The objective of the negotiations will be additional traffic rights and fewer restrictions on

European ownership and control of US carriers.”⁴¹

The US side also took a very positive view of the Open Skies agreement:

“This agreement ushers in an era of unprecedented liberalization for an area that encompasses 60 percent of global civil aviation traffic. The agreement also symbolizes our shared values and our historical cooperation,” Secretary of State Condoleezza Rice said in Washington on April 30, 2007.⁴²

The Open Skies agreement is anticipated to result in around 26 million additional passengers on transatlantic flights over a five-year period. This represents an increase of over one third, according to a European Commission forecast.

5.1.3 Perception of the EU-US Economic Policy Dialogue

The economic agreements entered into at the EU-US summit evoked a widespread and predominantly positive response. The personal commitment of the German Federal Chancellor, A. Merkel, in her capacity as EU Council President received particular attention in this context.

President George W. Bush expressly thanked the Federal Chancellor for the transatlantic economic integration plan in the following words:

“It is a statement of the importance of trade. It is a commitment to eliminating barriers to trade. It is a recognition that the closer that the United States and the EU become, the better off our people become. So this is a substantial agreement and I appreciate it. We also talked about Doha. I believe it’s in this country’s interests that we reject isolationism and protectionism and encourage free trade.”⁴³

Economic issues also formed the subject of a distinguished event organized by the US Chamber of Commerce, Business Europe and the Federation of German Industries on the margins of the Washington summit, and entitled “The Way Forward: Strengthening the Transatlantic Partnership”. Federal Chancellor A. Merkel made it clear on this occasion that sustained efforts are required:

“Nevertheless, despite our common values and similar regulatory frameworks, there are tremendous differences. It is worth focusing on this because businesses on both sides of the Atlantic are affected in equal measure. There are unnecessary costs, which arise as the result of double safety tests for cars, double bookkeeping, etc. All of this weakens our competitiveness. It also reduces our economic resources, which we need for future activities and for innovation.”⁴⁴

⁴¹ Tiefensee, Wolfgang: Press conference, Washington DC, April 30, 2007, website of the Federal Ministry of Transport, Building and Urban Affairs <http://www.bmvbs.de/dokumente/,-,302.994053/Pressemitteilung2007/dokument.htm> (accessed on July 12, 2007).

⁴² Remarks from the Signing Ceremony for the US–European Union Air Transportation Agreement, Washington DC, 30.04.2007, US Department of State website <http://www.state.gov/secretary/rm/2007/apr/83997.htm> (accessed on July 12, 2007).

⁴³ Press conference on the EU-US summit on April 30, 2007, Washington DC, German Federal Government website <http://www.bundesregierung.de/Content/DE/Mitschrift/Pressekonferenzen/2007/04/2007-04-30-pk-eu-usa-gipfel.html> (accessed on July 12, 2007).

⁴⁴ Merkel, Angela: Speech entitled “The Way Forward: Strengthening the Transatlantic Partnership”, April 30,

The economic outcomes of the EU-US summit in April 2007 were also viewed in the context of the impending G8 summit.

“Common ground is of course also necessary if we want to dismantle barriers to improve global economic cooperation. In other words, we will have an opportunity to discuss many of the associated issues at the G8 summit in Heiligendamm with the United States of America, Canada, and of course also with Japan, our European partners and Russia.”⁴⁵

The US Deputy Secretary of the Department of the Treasury, Robert Kimmitt, was quoted by “Handelsblatt” newspaper on April 30, 2007 as saying:

“The chances are currently much better than at any time in the past. Too many losses are incurred in transatlantic trade due to contradictory provisions and regulations.”

Kimmitt based his optimism on the fact that the EU and the US will have to give an account of their progress in reducing bureaucratic obstacles at each of their annual summit meetings in the future.

“This will have the effect of strongly increasing discipline and will create the necessary pressure. The general public will be watching very closely to see whether the new partnership was just talk, or if action is really being taken.”⁴⁶

The chairman of the EU Affairs Committee in the Bundestag, Matthias Wissmann, described the EU-US economic agreement as an opportunity for Europe to achieve growth and position itself better in an increasingly competitive world market. Wissmann emphasized that it may now be possible to standardize environmental or safety standards for cars, for example, in the EU and the US, thereby enabling industry to achieve cost reductions of up to 5 %.⁴⁷

5.2 Climate Change

As one of the major global challenges of our time, the issue of climate change was also of key importance to the German EU Council Presidency in the context of transatlantic relations (the EU and US are the world’s biggest consumers of energy, accounting for 38 % of global energy use and 39 % of global CO₂ emissions).⁴⁸

Federal Chancellor Angela Merkel described Europe as the “driving force behind global climate protection” in her government statement of June 14, 2007. The declaration on climate protection made by the G8, including the US, which has not ratified the Kyoto Protocol, “cannot be overestimated in terms of its significance. This is because the G8 has agreed that we need a

2007, US Chamber of Commerce, Business Europe and the German Federation of Industries, website of the Federal Chancellor <http://www.bundestkanzlerin.de/Content/DE/Rede/2007/04/2007-04-30-rede-merkel-washington.layoutVariant=Druckansicht.html> (accessed on July 12, 2007).

⁴⁵ Merkel, Angela: Speech to the Conference of the CDU/CSU Parliamentary Group in the German Bundestag, March 19, 2007, Berlin, CDU-CSU Bundestag Parliamentary Group website www.cducsu.de/section_2/subsection_3/id_319/mode_6/Meldungen.aspx (accessed on July 12, 2007).

⁴⁶ Kimmitt, Robert, “Handelsblatt” newspaper, April 30, 2007, www.handelsblatt.com (accessed on July 12, 2007).

⁴⁷ Wissmann, Mattias, PNP, May 1, 2007 <http://de.news.yahoo.com/01052007/336/politiker-loben-einigung-wirtschaftspartnerschaft-eu-usa.html> (accessed on July 12, 2007).

⁴⁸ G8 summit on June 6-8, 2007 in Heiligendamm: Press conference on the G8 summit <http://www.g-8.de/Content/DE/Mitschrift/Pressekonferenzen/2007/06/2007-06-08-pk-merkel-g8-abschluss.html> (accessed on July 12, 2007).

follow-up undertaking to the Kyoto Protocol for the period after it expires in 2012, and not just anywhere, but solely under the auspices of the United Nations, and not just anytime, but by the end of 2009”, according to A. Merkel.⁴⁹

It is due to the efforts of the German Federal Government and the Chancellor that climate issues were dealt with at the EU-US summit in a separate paper – the Joint Statement on Energy Security and Climate Change – with an emphasis being placed on the common ground and with specific conclusions.

This should be considered a success, even though no contractual commitments were entered into.

The joint message by the EU and the US President at the summit on April 30, 2007 in Washington emphasizes that the joint statement on energy security and climate change underlines the mutual interest in ensuring secure and clean supplies of energy and tackling climate change. Both sides declare their willingness to broaden and reinforce their activities to improve energy security and reduce greenhouse gas emissions.⁵⁰

The success lies in the fact that, in addition to a general exchange of goals, a joint platform was also found and the first specific measures were identified.

Particular attention was paid to the position of US President Bush:

“I assured the Chancellor that I’ve been committed to promoting new technologies that will promote energy efficiency, and at the same time do a better job of protecting the world’s environment. And I believe there’s a chance now to put behind us the old, stale debates of the past and focus on technological developments that will enable us to be good stewards of the environment, and at the same time enable us to become less dependent on oil and hydrocarbons from parts of the world that may not like us...I have said we’ll have a mandatory fuel standard that will reduce the emissions generated by our use of gasoline by 20 % over a ten year period, and that e.g. more and more biodiesel and more ethanol are used”, according to President Bush.⁵¹

Despite the continued divergence in their strategic approaches and clear differences in ways and means, the EU and US have made their first commitment to fight global warming. The US-EU climate statement says that an “urgent global policy” is needed. In concrete terms, the world’s biggest economies want to cooperate in developing new biofuels and carbon dioxide-free power plants in the future. This accommodated the American strategy, which until now has not established specific limits for CO₂ emissions along the lines of the limit values set by the EU, but has instead focused on the development of new, environmentally-friendly technologies.

At the press conference in Washington, Federal Chancellor A. Merkel described the outcomes on the issue of climate change as “a giant step forward”.

⁴⁹ Merkel, Angela: Government statement, “A new determination is perceptible”, speech to the European Council, June 14, 2007, Berlin, CDU-CSU Bundestag Parliamentary Group website http://www.cducsu.de/section_1/subsection_5/id_2000/section_1/subsection_6/id_5220/Meldungen.aspx (accessed on July 12, 2007).

⁵⁰ Documents on the EU-US summit, Washington, April 30, 2007, EU website http://ec.europa.eu/external_relations/us/sum04_07/index.htm (accessed on July 12, 2007).

⁵¹ Press conference: EU-US summit on 30.04.2004 in Washington DC, German Federal Government website, <http://www.bundesregierung.de/Content/DE/Mitschrift/Pressekonferenzen/2007/04/2007-04-30-pk-eu-usa-gipfel.html> (accessed on July 12, 2007).

“Even a year ago, we would have had significantly more difficulties in even coming up with a text that described the problem. I believe that we will continue the process we have begun today at the G8 summit in Heiligendamm, and will have discussions with developing and newly industrialized countries, and especially with India, China, Mexico, Brazil and South Africa. This is why we have developed a joint framework.”⁵²

The agreements include an international forum to which European Commission President Barroso has also ascribed particular significance.

“The idea to have a conference on renewables between the European Union and the United States is important. This conference will be held next year in Washington.”⁵³

5.3 Promoting Peace, Human Rights and Democracy Worldwide⁵⁴

The German EU Council Presidency has sought to engage in an intensive, dynamic and productive exchange of views with the US on questions of global security, human rights and democracy, based on the position that the EU, with its global political and trade networks, should continue to make important contributions to stability, security and reforms.⁵⁵

The European Parliament also included this aim in its Resolution on Transatlantic Relations of April 25, 2007. “The improved climate of EU-US relations on an equal basis” was emphasized as a precondition in this regard, with the resolution expressing the belief that “this positive backdrop offers serious opportunities for the EU and US to work closely together on a wide range of policy challenges of common concern, notably in the common approach to the Western Balkans, the South Caucasus region, Central Asia, the Middle East, Afghanistan, the Mediterranean, Latin America and Africa; fighting terrorism and the proliferation of weapons of mass destruction remain the greatest security challenges for both partners.”⁵⁶

The EU-US summit at the end of April 2007 did in fact take a step in this direction. A declaration on political and security issues was adopted, which included commitments on specific measures to reinforce peace, prosperity, security and human rights.

Regional challenges were discussed, especially Kosovo, Afghanistan, the Middle East, Iraq, Sudan and Latin America. Particular attention was paid to the joint efforts to fight terrorism, international organized crime and the proliferation of weapons of mass destruction. Other topics included further activities to achieve visa-free travel for all EU and US citizens.

⁵² Merkel, Angela: Speech entitled “The Way Forward: Strengthening the Transatlantic Partnership”, April 30, 2007, US Chamber of Commerce, Business Europe and the Federation of German Industries, website of the Federal Chancellor <http://www.bundestkanzlerin.de/Content/DE/Rede/2007/04/2007-04-30-rede-merkel-washington.layoutVariant=Druckansicht.html> (accessed on July 12, 2007).

⁵³ Press conference: EU-US summit on 30.04.2004 in Washington DC, German Federal Government website, <http://www.bundesregierung.de/Content/DE/Mitschrift/Pressekonferenzen/2007/04/2007-04-30-pk-eu-usa-gipfel.html> (accessed on July 12, 2007).

⁵⁴ Declaration on Political and Security Issues: EU-US summit, Washington, 30.04.2007, EU website http://ec.europa.eu/external_relations/us/sum04_07/statement_political_security_issues.pdf (accessed on July 12, 2007).

⁵⁵ European Commission: Publication of DG External Relations, “The European Union and the United States, Global Partners, Global Responsibilities”, EU website http://ec.europa.eu/external_relations/library/publications/23_us_infopack_2006_de.pdf (accessed on July 12, 2007).

⁵⁶ European Parliament: Resolution on transatlantic relations of April 25, 2007, EP website <http://www.europarl.europa.eu/sides/getDoc.do?type=MOTION&reference=B6-2007-0149&language=DE> (accessed on July 12, 2007).

“It was an open discussion that clearly showed us that we need to work together, and that diplomacy can only be successful if we stand together, be it on Kosovo, the Middle East, or other issues,” was the summary given by Federal Chancellor A. Merkel at the press conference on April 30, 2007 in Washington.⁵⁷

It is significant that common denominators were found. An effective CFSP in a reformed EU, which will speak with one voice, creates the expectation that comparable documents could also include new strategies and instruments for joint action by the EU and US.

The joint declaration entitled “PROMOTING PEACE, HUMAN RIGHTS AND DEMOCRACY WORLDWIDE” addressed regional and global challenges.

5.3.1 Regional Challenges

In relation to Kosovo, both sides believe that resolving the status issue is the most urgent matter. The comprehensive Ahtisaari proposal is viewed as the basis for a new UN Security Council resolution. In their security statement of April 30, 2007, the EU and US urge that such a resolution be adopted in a timely manner.

The document also emphasizes that the EU and US will work closely in coordination with NATO and the UN to ensure security in Kosovo during the transitional phase following the conclusion of a status settlement.

The EU’s decision on a future ESDP mission, which was also extended to the area of the rule of law, was welcomed. The security statement of the EU-US summit says that US participation in this mission is anticipated.

Support for the European and Euro-Atlantic perspective for all Western Balkan nations is assured, as is assistance with their efforts along the way.

As regards relations with Russia, the EU and US are seeking to promote common values, such as political pluralism, the rule of law, and human rights, including freedom of media, expression and assembly. The EU and US also noted their concerns in these areas with regard to Russia.

An assurance is given that cooperation will continue with Russia in areas of mutual interest, including the non-proliferation of weapons of mass destruction, counter-terrorism, energy security and regional issues, such as the resolution of frozen conflicts.

In relation to Afghanistan, while the military presence is considered necessary, and the NATO mission is supported, the security statement points out that military efforts alone will not bring about the peaceful, democratic future being sought for the Afghan people. For this reason, the EU and US are planning to extend their commitment to rebuild infrastructure and create economic opportunity for the Afghan people.

As regards the Middle East, the security statement adopted in Washington in 2007 expresses the desire of the EU and US to continue to work closely together, including through the Middle Eastern Quartet, to promote a renewed political process between Israeli and Palestinian leaders, with the goal of creating an independent, democratic and viable Palestinian state, living side by side in peace and security with Israel.

⁵⁷ EU-US summit on 30.04.2004 in Washington DC: Press conference, German Federal Government website, <http://www.bundesregierung.de/Content/DE/Mitschrift/Pressekonferenzen/2007/04/2007-04-30-pk-eu-usa-gipfel.html> (accessed on July 12, 2007).

In Iraq, the EU and US will continue to provide support to the democratically elected government.

In Latin America and the Caribbean, the EU and US will promote human rights, the freedom of the press, and free speech.

They will support the Cuban people as they seek to exercise these same rights.

The security statement also mentions Bulgaria in connection with Libya. It announces the intention to reinforce the efforts aimed at the release of the Bulgarian nurses and the Palestinian doctor sentenced to death against all scientific evidence.

5.3.2 Global Challenges

5.3.2.1 *Counter-Terrorism*

“We must work together closely and with mutual trust on security issues of international importance, such as combating international terrorism, organized crime and drug trafficking. The German EU Presidency therefore wants to strengthen the strategically important transatlantic relations for the long term.”⁵⁸

This aim, formulated by the Federal Minister of the Interior, Dr. Wolfgang Schäuble, was reflected in various activities during the German EU Council Presidency.

The EU's counter-terrorism policy is an important element of European cooperation with third countries (in the areas of police, justice and customs, and in many other contexts). The EU adopted a comprehensive action plan on combating terrorism directly after September 11, 2001. It contains specific joint measures, such as freezing the financial basis of terrorist networks, strengthening intelligence services, and Europol, introducing a European arrest warrant and a common visa policy.

A Eurobarometer survey shows that the overwhelming majority of European citizens – 91 % in total – believe that the EU should lead the fight against terrorism, rather than national governments.

Preventive measures will continue to be strengthened by implementing international standards. The EU and US are committed to implementing targeted sanctions to fight the financing of terrorist organizations and their networks. Another measure involves the development of joint action plans to implement the Financial Action Task Force's (FATF) strategic framework for combating terrorist exploitation of charities and cash couriers.

EU-US talks were held at ministerial level in April 2007 in Berlin on the subjects of counter-terrorism, data protection, visa issues, and EU policy in the field of criminal law. In the field of counter-terrorism, the talks focused on the problem of the radicalization and recruitment of supporters of terrorist structures. Both sides also discussed the importance of the internet in this regard, along with possible approaches to solving the problem.

On behalf of the European Union, Federal Minister of the Interior Schäuble welcomed the progress already made by a joint high-level contact group in drafting common basic principles of

⁵⁸ “Close EU-US Counterterrorism Cooperation”: German EU Council Presidency press release, 14.05.2007, German EU Council Presidency website http://www.eu2007.de/de/News/Press_Releases/May/0514BMITerrorkampf.html (accessed on July 12, 2007).

data protection law.

In the context of the joint efforts to fight organized crime and international terrorism, a meeting with the European Parliament also took place in May 2007, when the Federal Minister of the Interior, Dr. Wolfgang Schäuble, representing the EU Council Presidency, and the US Secretary of Homeland Security, Michael Chertoff, attended an extraordinary meeting of the Committee on Civil Liberties, Justice and Home Affairs in Brussels.⁵⁹

5.3.2.1.1 Passenger Name Records Agreement

Following difficult negotiations with the US, the German EU Council Presidency was able to reach provisional consensus on a new Passenger Name Records (PNR) Agreement with Washington. In future, the US will receive less data, but will be allowed to store it for longer. The new agreement aims to achieve legal certainty for all affected parties in the long term, ensure a high standard of security, and provide reliable data protection.

As of August 2007, US authorities such as the FBI will only be able to access 19, instead of the previous 34, personal data fields relating to European air passengers. However, the US security authorities will be able to use the data for counter-terrorism purposes for up to 15 years in future, instead of the three and a half years permitted previously. The data in question consists of information provided by travelers when purchasing their tickets, such as their name, address and credit card number. The new agreement will initially run for seven years, and replaces a provisional agreement entered into between the EU and US last October, which expired at the end of July.

The Passenger Name Records Agreement was criticized by the European Parliament. A resolution states that the agreement is “substantively flawed”⁶⁰ in terms of data protection and legal redress for EU citizens. The Parliament “strongly regrets the lack of democratic oversight of any kind”, and criticizes the fact that too much data is being transmitted and stored, and is being deleted too late.

The resolution, which was adopted following a motion brought by the Social Democrats, Greens, Liberals and the Left, criticizes the fact that the agreements with Washington are founded on non-binding assurances, which can be changed unilaterally by the Americans. The Parliament further urges that data protection standards in America be comprehensively reviewed on an annual basis and the results published.

An initial agreement between the US and EU on the transmission of passenger records was annulled by the European Court of Justice in May 2004, as a result of data protection proceedings brought by the European Parliament.

⁵⁹ US Secretary of Homeland Security Michael Chertoff, US Assistant Attorney General Kenneth L. Wainstein and European Commission Vice President Franco Frattini with the current holders of the EU Presidency represented by Federal Minister of the Interior Dr. Wolfgang Schäuble and Federal Justice Minister Brigitte Zypries. The Portuguese State Secretaries of Justice and Internal Affairs, José Conde Rodrigues and Dr. José Madalhões, represented the upcoming Portuguese EU Presidency. EU-Council Presidency press release: “Close EU-US Counter-Terrorism Cooperation”, German EU Council Presidency website http://www.eu2007.de/de/News/Press_Releases/May/0514BMITerrorkampf.html and http://www.eu2007.de/de/News/Press_Releases/April/0405BMJTroika.html (accessed on July 12, 2007).

⁶⁰ European Parliament: Resolution on the PNR agreement with the United States of America of July 12, 2007, EP website <http://www.europarl.europa.eu/sides/getDoc.do?Type=TA&Reference=P6-TA-2007-0347&language=EN> (accessed on July 12, 2007).

The EU is seeking a long-term agreement which will create legal certainty, ensure a high level of security, and provide reliable data protection.

5.3.2.1.2 Agreement on Security of Classified Information

On the margins of the EU-US summit in Washington, Deputy Secretary of State John D. Negroponte and European Union Council Secretary General and High Representative for the Common Foreign and Security Policy Javier Solana signed an Agreement on Security of Classified Information on April 30, 2007, as a further contribution to cooperation in combating international terrorism.

5.3.2.2 *Drug Trafficking, International Organized Crime and Corruption*

The issue of combating drug trafficking, organized crime and corruption was discussed intensively at different levels, with the aim of improving cooperation in this area.

The joint statement from the EU-US summit in Washington says that the EU and US will enhance their efforts against drug trafficking, transnational organized crime and corruption by deepening cooperation among prosecutors and investigators through established liaison relationships with, among others, Eurojust, Europol and the Southeast European Cooperation Initiative (SECI).

They will coordinate in developing a mechanism for implementing the UN Convention against Corruption, and provide technical assistance to help countries implement the Convention.

Other points include helping governments to fight drug production, combating financial flows, and dismantling drug trafficking organizations and routes in the EU and US.

To combat money laundering worldwide, the EU and US will coordinate efforts to reform legislation, investigate money-laundering networks and ensure enforcement of international obligations.

5.3.2.3 *Non-Proliferation of Weapons of Mass Destruction*

The EU Council Presidency sought to strengthen the set of multilateral rules in the area of disarmament, arms control and non-proliferation.

In relation to the Iranian nuclear program, the European initiative (E3/EU) was successfully extended to the US, Russia and China (E3/EU+3).

The declaration entitled "PROMOTING PEACE, HUMAN RIGHTS AND DEMOCRACY WORLDWIDE" reaffirms the commitment to the Nuclear Non-Proliferation Treaty. North Korea and Iran are called on to take the steps required of them by the international community. The EU and US declare their readiness to respond positively as soon as they do so.

The declaration further establishes that conflicts and failures of state governance cause human and economic catastrophes, destabilize neighboring countries and regions, and threaten the security of the international community. The need for a comprehensive approach to modern crisis management, and close collaboration between the EU and the United States, NATO, other nations, the UN and other organizations is emphasized.

5.3.3 Possibilities for Visa-Free Travel

The German EU Council Presidency strongly advocated finding possibilities for visa-free travel to the US for all EU citizens.

The declaration on security issues from the EU-US summit emphasizes the aim of making swift progress in achieving visa-free travel for all EU citizens to the United States.

Twelve member states (all of the new member states which acceded to the EU on May 1, 2004, with the exception of Slovenia, as well as Greece) still require a visa to enter the US for stays of up to three months. Conversely, all US nationals enjoy visa-free travel to the EU.

The Council Presidency vigorously pursued the goal of having all EU citizens benefit from the visa waiver program. The issue was discussed in the EU-US summit documents and during the talks between the Ministers and Commissioners for Justice and Home Affairs. Negotiations are continuing between the EU and US on the reciprocal granting of visas and the relevant preconditions. The aim is to achieve an equitable and comprehensively regulated waiver of the visa requirement for EU and US nationals for short stays of up to three months.

“Travel between all EU member states and the US needs to become simpler. You will understand that from an EU perspective, we would like to see all of the EU member states treated in a similar way. Visa-free travel is a very important issue for us.”⁶¹

⁶¹ Merkel, Angela: Speech entitled “The Way Forward: Strengthening the Transatlantic Partnership” given to the US Chamber of Commerce, Business Europe and the Federation of German Industries April 30, 2007, <http://www.bundestkanzlerin.de/Content/DE/Rede/2007/04/2007-04-30-rede-merkel-washington.layoutVariant=Druckansicht.html>, (accessed on July 12, 2007)

6. Conclusions and Prospects

Which impetuses did the German EU Council Presidency generate for the further development of the transatlantic partnership?

Which processes were set in motion by the EU-US summit?^{62,63}

“There has been a tiger in Europe’s motor for some months now”,⁶⁴ said Joseph Daul (EVP-ED, FR), and thanked the German Council Presidency for its commitment. The progress made in the area of energy and climate change had sent out an initial positive signal, with Europe also showing unity at the G8 summit. The Member of the European Parliament also praised the successes achieved e.g. in developing strategic relations with the US and the activities in the area of Justice and Home Affairs.

Senator John McCain:

“Our interests, though not always perfectly congruent, are rarely diverging...Our generation has been called to build a new global partnership in defense of the core ideals of civilization, ideals under attack by the forces of violence, extremism and chaos. This challenge should cause us not to question our values, but rather to redouble our commitment to their defense.”⁶⁵

Daniel Fried, Assistant Secretary of State for European and Eurasian Affairs at the US Department of State:

“We have made progress because we have made efforts. From the start of his second term, President Bush has reached out to Europe. Europe has reached back, and our relations are again on a strong footing. The United States and Europe do not constitute a single polity. But we do form a single community of values, interests and responsibilities. Our roles in the world are not the same, but they are inextricably close, by choice, but also by our very natures. We may play different positions, but we do play the same sport, and we are on the same team.”⁶⁶

“Angela Merkel has become George W. Bush’s most reliable ally, and this can also be seen as an expression of the President’s entirely desperate situation. He no longer has any other important friends. However, he trusts the German Chancellor, with her clear transatlantic orientation, and he trusts her judgment”, commented the “Berliner Zeitung”

⁶² The German Federal Government: Taking Stock of Germany’s EU Presidency, 27.06.2007, German Federal Government website <http://www.bundesregierung.de/Content/DE/Artikel/2007/06/Anlagen/2007-06-27-bilanz-praesidentschaft.property=publicationFile.pdf> (accessed on July 12, 2007).

⁶³ Merkel, Angela, Federal Chancellor: Speech to the European Parliament on 27.06.2007, German Federal Government website <http://www.bundesregierung.de/Content/DE/Rede/2007/06/2007-06-27-rede-merkel-ep.html> (accessed on July 12, 2007).

⁶⁴ Daul, Joseph: Discussion in the European Parliament, July 2, 2007 www.euractiv.com/de/zukunft-eu/reformvertrag-europaabgeordnete-begruen-merkels-erfolg/article-165038 (accessed on July 12, 2007).

⁶⁵ McCain, John: Speech at the 43rd Munich Conference on Security Policy, October 2, 2007 www.securityconference.de/konferenzen/rede.php?sprache=de&id=186& (accessed on July 12, 2007).

⁶⁶ Fried, Daniel, Assistant Secretary, US Department of State: Speech at the Europe Forum in the German Federal Foreign Office, May 9, 2007, <http://germany.usembassy.gov> (accessed on July 12, 2007).

newspaper (May 2, 2007).⁶⁷

In summary, the following can be established:

- The German EU Council Presidency optimally reaffirmed the EU's desire to also make a fundamental contribution to international cooperation through effective multilateralism in the transatlantic partnership.
- The transatlantic dialogue continues to be characterized by differences between the EU and US in relation to threat analysis, strategy and tactics. Nonetheless, the German EU Council Presidency built pragmatically on common approaches and made tangible progress.
- The Federal Republic of Germany worked actively to re-establish and consolidate trust between the EU and US, and made an essential contribution to improving the atmosphere of the talks.
- Pragmatism took precedence over assertions of friendship. Lasting processes, rather than PR stunts, were sought.
- The agenda of the traditional EU-US summit in 2007 was more broadly based than the preceding Council Presidencies, and reflected the urgent, global challenges and the EU's present ability to take action.
- The transatlantic partnership acquired a new quality in the area of economics (Transatlantic Economic Integration Framework; Transatlantic Economic Council as a new institutional basis; cooperation to reduce double regulation; Air Transport Agreement).
- The new dynamic in the transatlantic dialogue can continue to be developed by the activated mechanism of the Trio Presidency of the EU. Continuity is already beginning to emerge in the economic sector, as revealed in the priorities of the Portuguese EU Council Presidency (July-December 2007).⁶⁸
- The EU's conviction was strengthened that an efficient CFSP, shaped by the necessary reforms, will increase the EU's chances of success in the transatlantic dialogue.
- There is a great deal of room for improvement in EU-NATO relations. The main problems are to be found at the highest political level, where there is insufficient strategic dialogue.
- Joint commitments were agreed to on specific measures to promote peace, prosperity, security and human rights. Regional challenges and global threats, such as terrorism and the proliferation of weapons of mass destruction, were discussed in the context of a joint approach.
- The agreements on the issue of climate change are important, even though they can be characterized as palliative and are subject to change.
- The fact that Germany held the Presidency of the EU and also chaired the G8 in

⁶⁷ "Berliner Zeitung" newspaper, www.berlinerzeitung.com (accessed on July 12, 2007).

⁶⁸ Portuguese Presidency of the Council: "A Stronger Union for a Better World", July - December 2007, Portuguese Presidency website http://www.eu2007.pt/NR/rdonlyres/EFA45F2C-33E8-40B3-A6AD-5512E56E9E7C/0/CadernoPrioridades_Ingles_0907_12h00.pdf (accessed on July 12, 2007).

2007 was a particularly favorable constellation. Synergies were able to be created on this basis (economy, climate policy).

- The German EU Council Presidency put the visa issue onto the agenda of the EU-US summit. Although the US made concessions and announced greater flexibility, the process will be very time-consuming.
- Confidence increased in general regarding the capacity of EU-US relations to act as a shaping force in relation to global challenges.

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Designed and produced by Research Program Division, Garmisch-Partenkirchen, December 2007